

## IN THE U.S. PATENT AND TRADEMARK OFFICE

U.S. Patent Application S.N. 10/660,841

Title: NOVEL COMPOSITION AND METHOD FOR TREATMENT OF UPPER  
RESPIRATORY CONDITIONS

Inventor(s): Smith, C. Steven

Filed: September 12, 2003

Group Art Unit: 1616

Examiner: Qazi, Sabiha Naim

### RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121

Commissioner of Patents  
Alexandria, VA 22313-1450

Sir:

In response to the Office communication dated March 24, 2006, Applicant elects to prosecute claims 1-45 (Group I) of the present application, which are drawn to a composition (product). Applicant specifically reserves the right to rejoin Claims 46-63 of Group II, which are drawn to a method (process), pursuant to the rejoinder procedures set forth in MPEP §820.04, upon the allowance of the elected composition (product) claims.

Respectfully submitted,



Mandy Wilson Decker  
Reg. No. 53,781  
STITES & HARBISON, PLLC  
400 W. Market Street  
Louisville, Kentucky 40202-3352  
Phone (502) 587-3400  
Facsimile (502) 587-6391